

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

LISSETTE LARIOS ROOHBAKHSH, as
personal representative of the ESTATE OF
FATIMA LISSETTE LARIOS and on behalf
of next of kin, and NELSON LARIOS, as next
of kin,

Case No. 8:17-cv-00031

Plaintiffs,

v.

BOARD OF TRUSTEES OF THE
NEBRASKA STATE COLLEGES, and
CHADRON STATE COLLEGE,

Defendants.

**INDEX OF EVIDENCE IN SUPPORT OF
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

The Defendants Board of Trustees of the Nebraska State Colleges and Chadron State College ("Defendants") designate the following evidence in support of their Motion for Summary Judgment. True and correct copies of the following documents are attached hereto:

- Exhibit 1:** Plaintiff's Complaint
- Exhibit 2:** Plaintiff's Responses to Defendants' First Set of Interrogatories to Plaintiffs
- Exhibit 3:** Excerpts from Deposition of Lissette Larios Roohbakhsh
- Exhibit 4:** Excerpts from Deposition of Nelson Larios
- Exhibit 5:** Excerpts from Deposition of Brandon Finona-Gardner
- Exhibit 6:** Excerpts from Deposition of Shelley Dunbar
- Exhibit 7:** Excerpts from Deposition of Sherri Simons
- Exhibit 8:** Excerpts from Deposition of Robert Stack
- Exhibit 9:** Excerpts from Deposition of Aryn Grywusiewicz
- Exhibit 10:** Excerpts from Deposition of Joel Smith
- Exhibit 11:** Excerpts from Deposition of Cassy Mitchell
- Exhibit 12:** Excerpts from Deposition of Pat Beu
- Exhibit 13:** Text messages between Fatima Larios and Brandon Finona-Gardner

- Exhibit 14:** Fatima Larios' Austin Peay State University Undergraduate Transcript
- Exhibit 15:** Excerpts from Deposition of Rikki Bowen
- Exhibit 16:** Excerpts from Deposition of Sam Couch
- Exhibit 17:** November 14, 2014 Email from Aryn Grywusiewicz to Shelley Dunbar
- Exhibit 18:** Excerpts from Deposition of Aspen Eubanks
- Exhibit 19:** Affidavit of Yadira Gurrola
- Exhibit 20:** January 15-January 16, 2015 Chadron State College Department of Residence Life Incident Report
- Exhibit 21:** Excerpts from Deposition of Yadira Gurrola
- Exhibit 22:** Excerpts from Deposition of Jon Hansen
- Exhibit 23:** Excerpts from Deposition of Travis Hoover
- Exhibit 24:** Excerpts from Deposition of Brooke Wakefield
- Exhibit 25:** Excerpts from Deposition of Rebeka Prokaski
- Exhibit 26:** January 20, 2015 Chadron State College Department of Residence Life Incident Report
- Exhibit 27:** Fatima Larios' Chadron State College Official Undergraduate Transcript
- Exhibit 28:** Plaintiffs' Amended Responses and Objections to Defendants' Second Set of Interrogatories to Plaintiffs
- Exhibit 29:** Declaration of Shelley Dunbar, Chadron State College
- Exhibit 30:** Shelley Dunbar Notes re Title IX Investigation
- Exhibit 31:** November 5, 2014 Shelley Dunbar email to Rob Stack and Joel Smith
- Exhibit 32:** November 5, 2014 Shelley Dunbar Correspondence to Fatima Larios
- Exhibit 33:** November 6, 2014 Shelley Dunbar Email to Fatima Larios
- Exhibit 34:** November 6, 2014 Shelley Dunbar Email to Aryn Grywusiewicz and Rob Stack
- Exhibit 35:** November 7, 2014 Shelley Dunbar Email to Jon Hansen and Joel Smith
- Exhibit 36:** November 10-11, 2014 Emails between Shelley Dunbar and Fatima Larios
- Exhibit 37:** January 21, 2015 Email Correspondence between C. Mitchell, S. Simons, and P. Beu regarding F. Larios and B. Finona-Gardner's arguments
- Exhibit 38:** Affidavit in Support of Search Warrant for High Rise #319-320 and #1108-1109
- Exhibit 39:** March 23, 2015 Regional West Medical Center Autopsy Report
- Exhibit 40:** January 17-23, 2015 Student Observation Report for High Rise Residence Hall 3rd Floor.

- Exhibit 41:** January 24-30, 2015 Student Observation Report for High Rise Residence Hall 11th Floor.
- Exhibit 42:** January 24-30, 2015 Student Observation Report for High Rise Residence Hall 3rd Floor.
- Exhibit 43:** January 12-16, 2015 Student Observation Report for High Rise Residence Hall 11th Floor.
- Exhibit 44:** January 12-16, 2015 Student Observation Report for High Rise Residence Hall 3rd Floor.
- Exhibit 45:** January 19, 2015 Email from C. Mitchell to S. Simons and B. Knifong re HR Observation Reports Week 1.
- Exhibit 46:** September 26, 2014 Residence Hall Contract
- Exhibit 47:** October 25, 2014 Coach Robert Stack's Handwritten Notes
- Exhibit 48:** March 6, 2014 Email from Fatima Larios to Coach Robert Stack
- Exhibit 49:** June 9, 2014 Residence Hall Contract
- Exhibit 50:** 2014-2015 Chadron State College's Student Handbook
- Exhibit 51:** September 12, 2014 Student Observation Reports for Andrews Residence Hall 3rd Floor West
- Exhibit 52:** January 21, 2015 Text Messages between Fatima Larios and Coach Robert Stack
- Exhibit 53:** February 5, 2015 Chadron State College Department of Residence Life Incident Report
- Exhibit 54:** Declaration of Chief Tim Lordino, Chadron Police Department
- Exhibit 55:** Declaration of Robert Stack, Chadron State College
- Exhibit 56:** Declaration of Sherri Simons, Chadron State College
- Exhibit 57:** Excerpts from Deposition of Stephanie Paris
- Exhibit 58:** March 1, 2014 Stephanie Paris Email correspondence
- Exhibit 59:** Excerpts from Deposition of Dr. Donna Peters
- Exhibit 60:** Declaration of Jon Hansen, Chadron State College

DATED this 15th day of February, 2019.

BOARD OF TRUSTEES OF THE NEBRASKA
STATE COLLEGES AND CHADRON STATE
COLLEGE, Defendants,

BY: /s/Leigh Campbell Joyce
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CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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and I hereby certify that I have mailed by United States Postal Service, postage prepaid, and email this document to the following non CM/ECF participants: None.

/s/Leigh Campbell Joyce